

## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET – MS 15  
SACRAMENTO, CA 95814-5512



May 9, 2003

**TO:** Robert Pernell, Commissioner and Committee Presiding Member  
Arthur H. Rosenfeld, Commissioner and Committee Associate Member  
Garret Shean, Hearing Officer

**SUBJECT: COSUMNES POWER PLANT PROJECT (01-AFC-19) - CONDITIONS OF  
CERTIFICATION DISCUSSED AT THE MARCH 2003 EVIDENTIARY  
HEARINGS**

During the March 13 and 14, 2003 evidentiary hearings, the Committee requested staff and the Sacramento Municipal Utility District (SMUD) to develop additional conditions of certification regarding Waste Management, Traffic and Transportation, and Noise and Vibration. Therefore, staff and SMUD have modified existing proposed conditions or developed new conditions of certification.

Staff and SMUD are in agreement regarding the attached Noise and Vibration and Waste Management conditions of certification. However, staff and SMUD disagree with the new proposed condition of certification **TRANS-9**. The disagreement is clearly identified in the attachment. Revisions to previously proposed conditions are shown in redline/strikeout format to show the proposed changes.

Sincerely,

-signed original-

Kristy Chew  
Siting Project Manager

Attachments: Revised and New Conditions of Certification

cc: POS

## NOISE AND VIBRATION

Condition discussed at March 14, 2003, hearing.

### INTRODUCTION

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During the evidentiary hearing of March 14, 2003, there was discussion of plant operation noise impacts to surrounding residents. To help mitigate increased noise that may be experienced, Hearing Officer, Garret Shean, proposed the development of a condition of certification requiring the applicant to install noise attenuating improvements at residences that experience more than a 5 dBA increase of noise. Staff and the applicant have developed the following condition of certification at the Committee's request.

**NOISE-11** If the property owner of any existing residence (except R1) within the 35 dBA contour of the plant identified on Figure 8.5-2R3 (SMUD 2003c), requests an operational noise survey within 1 year of the start of commercial operation of either Phase 1 or Phase 2, the project owner shall conduct a nighttime (10 PM to 7AM) noise survey within 90 days of the property owner's request.

If the steady-state plant noise level exceeds a criterion value of 36 dBA within 25 feet of the property owner's residence, the project owner, at its cost, and with the permission of the property owner, shall install acoustical improvements at the residence such that the plant noise level reduction provided by the building facades is improved by at least 5 dBA. The CPM, in consultation with the applicant and the property owner, shall be responsible for determining which specific acoustical improvements are required to meet the terms of this condition. The project owner may, at its option, conduct a new ambient noise survey at the affected residence if the project owner believes that the ambient noise level at the existing residence may have increased over the assumed 4-hour L90 value of 31 dBA due to activities unrelated to the plant. If approved by the CPM, the criterion value may be adjusted higher to equal the measured L90 value for the four quietest contiguous nighttime hours, plus 5 dBA.

**Verification:** Fifteen days prior to commercial operation of Phase 1 and Phase 2, the project owner shall notify by mail all property owners within the 35 dBA contour identified on Figure 8.5-2R3 (presented in FSA, Noise and Vibration Figure 5) and the CPM of the start of the commercial operation of each respective phase. The notice shall inform property owners of the potential to receive acoustical improvements if the above described conditions are met.

The project owner shall notify the CPM within one week of any noise survey requests received.

Within 30 days of any completed operational noise survey requested by a resident, the project owner shall submit to the CPM and the property owner the results of the operational noise survey and, if the survey indicates that measured noise level exceeds

the criterion value established above, a list of acoustical improvements that could be made to the residence to improve the interior plant noise level reduction by at least 5 dBA. Acoustical improvements evaluated shall include, but are not limited to, replacement of single-pane windows with acoustically-rated windows; upgrade hollow-core exterior doors with solid-core doors; providing additional sound insulation in walls and around penetrations or cracks; and installation of air conditioning systems, if not already present. The CPM, in consultation with the project owner and the property owner, shall be responsible for determining which specific acoustical improvements are required to meet the terms of this condition.

## TRAFFIC AND TRANSPORTATION

Conditions discussed at March 14, 2003, hearing.

### INTRODUCTION

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During the evidentiary hearing of March 14, 2003, there was discussion of traffic safety along the roads leading to the CPP site that will be used by construction workers during plant construction and during plant operation. To improve traffic safety, the Hearing Officer, Garret Shean, proposed the development of conditions of certification requiring the development of a traffic safety program to be implemented during the Worker Environmental Awareness Program. As a result of the Committee's request, staff and the applicant have modified **TRANS-5** and developed additional Conditions of Certification **TRANS-9** and **TRANS-10**.

**TRANS-5** The project owner shall consult with Caltrans, Sacramento and Yolo counties, and the City of Elk Grove and prepare and submit to the CPM for approval, a construction traffic control plan (TCP) and implementation program (TCP). Staff believes that all of the activities identified by Caltrans in their September 17, 2002 and supporting letters are appropriate, and should be implemented during the construction and operation of the CPP. The TCP should address the following issues:

- Timing of heavy equipment and building materials deliveries;
- Redirecting construction traffic with a flagperson;
- Signing, lighting, and traffic control device placement if required;
- Need for turning restrictions;
- Need for construction work hours and arrival/departure times outside of peak traffic periods, local school bus travel times on SR 104/Twin Cities Road and Clay East Road, and the intervals that children would be walking to and from bus stops;
- [Whether road signs should be installed along Twin Cities Road to inform drivers of school bus zones;](#)
- Ensure access for emergency vehicles to the project site;
- Temporary travel lane closure;
- Access to adjacent residential and commercial property during the construction of all linears;
- Installation of the gas pipeline, compressor and valve stations;
- Completion of the construction access road as early in the construction phase as possible. Restrict the use of Clay East Road to no more than 100-day shift workers per day until the access road is complete. Require all construction traffic

to use Twin Cities Road and the access road to enter and exit the CPP site and laydown area.

**Verification:** At least 30 days prior to site mobilization, the project owner shall provide to the CPM a copy of the TCP for review and approval.

**Condition TRANS-9 is still in dispute.**

***Staff Version***

**TRANS-9** The project owner shall select a traffic safety specialist (TSS) (e.g., a Sacramento County Sheriff officer or California Highway Patrol officer, retired or presently employed) to conduct a Worker Traffic Safety Program (WTSP) school bus/ school children awareness training. The TSS shall have a minimum of five (5) years experience in traffic safety training in California.

**Verification:**

Thirty (30) days prior to ground disturbance, the project owner shall submit the traffic consultant's resume to the CPM for approval.

***Applicant Version***

**TRANS-9** The project owner shall select a traffic safety specialist (TSS) (e.g., a Sacramento County Sheriff officer or California Highway Patrol officer, retired or presently employed) to ~~review conduct~~ a Worker Traffic Safety Program (WTSP) school bus/ school children awareness training. The TSS shall have a minimum of five (5) years experience in traffic safety training in California.

**Verification:**

Thirty (30) days prior to ground disturbance, the project owner shall submit the traffic consultant's resume to the CPM for approval.

**TRANS-10** Prior to ground disturbance, the project owner shall develop and implement a Worker Traffic Safety Program (WTSP) focusing on awareness of school buses and school children in the vicinity of the project. The plan shall include as a minimum the following:

1. a discussion of all applicable motor vehicle laws and penalties under the law; safe driving practices, potential road conditions (e.g., school bus stops, children who are walking to or from a bus stop, children boarding or exiting buses, ground fog, horses/livestock, slow vehicles etc.) along the expected travel corridor (i.e., Twin Cities Road);
2. required commute work travel times (per **TRANS-5**);
3. expected school bus travel times; and
4. a discussion of consequences in the event a CPP worker is found driving in an unsafe manner.

The training shall be provided on a weekly basis to all new employees (including all contractors and subcontractors) at the beginning of Phase 1, and continue for the duration of the Phase 1 and Phase 2 construction periods. Any training presented in the form of a video must be reviewed and approved by the CPM in advance.

**Verification:** The project owner shall provide a copy of the WTSP to the CPM for review and approval 30 days prior to ground disturbance. The training may be presented in the form of a video if the video has been reviewed by the TSS and approved by the CPM. The video shall be provided to the CPM for review and approval 30 days prior to ground disturbance.

The project owner shall provide the WTSP Certification of Completion form (attached Exhibit 1) for persons who have completed the training in the prior month, and a running total of all persons who have completed training to date in the Monthly Compliance Report (MCR).

# EXHIBIT 1

## **Certification of Completion Worker Traffic Safety Program Cosumnes Power Plant (Docket #01-AFC-19)**

This is to certify these individuals have completed a mandatory California Energy Commission-approved Worker Traffic Safety Program (WTSP). The WTSP includes pertinent information on Traffic Safety for all personnel working on-site or at related facilities. By signing below, the participant indicates that they understand and shall abide by the guidelines set forth in the Program materials. Include this completed form in the Monthly Compliance Report.

<b>No.</b>	<b>Employee Name</b>	<b>Company</b>	<b>Signature</b>
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Traffic Trainer: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

## **WASTE MANAGEMENT**

Condition discussed at March 13, 2003, hearing.

### **INTRODUCTION**

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During the evidentiary hearing of March 13, 2003, intervenor Kathryn Peasha requested that applicant conduct an analysis of pre-existing conditions at the construction site. Specifically, Ms. Peasha raised a concern that there may be an underground storage tank in the vicinity of the CPP construction site. In response to this concern, the applicant agreed to conduct remote geophysical sensing to ensure that there is no underground tank in the area where the retention basin is to be excavated. Staff and the applicant have developed the following condition of certification at the Committee's request.

**WASTE-7** The project owner shall conduct remote geophysical sensing, using either a magnetometer or ground penetrating radar, at the upper northwest corner of the construction site at the proposed location for the retention basin.

**Verification:** At least 30 days prior to construction-related ground disturbance at the project site, the project owner shall provide the results of the remote geophysical sensing to the CPM. In the event that the results confirm the location of an underground storage tank beneath the proposed construction site, the project owner in consultation with the Central Valley Regional Water Quality Control Board, the local CUPA, and the CPM, shall determine those actions required to mitigate any significant adverse environmental impacts to a level of insignificance.